



RECEIVED
CENTRAL FAX CENTER
DEC 11 2008

Facsimile Cover Sheet

Date: December 11, 2008

To: Commissioner for Patents
Company: U.S. Patent and Trademark Office

Fax: 571-273-8300

From: Janice V. Rice, Reg. No. 50,606
Company: Exelixis, Inc.
Phone: 650-837-7553
Fax: 650-837-8234

Subject: U.S. Patent Application 10/522,004
Entitled: Receptor-Type Kinase Modulators And Methods Of Use

Attorney

Docket No.: EX03-054C-US

Total number of pages including cover sheet: 4

OFFICIAL DOCUMENTS:

The following documents are attached for the above-referenced patent application:

1) Fax Cover sheet	1 page.
2) Transmittal Form	1 page.
3) <u>Applicant Initiated Interview Request Form</u>	2 pages.
	Total 4 pages

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on:

Date: December 11, 2008


Laura A. Huntington

CONFIDENTIALITY NOTE

The information contained in this facsimile transmission is intended only for the use of the addressee and may contain information that is confidential, privileged or otherwise exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this transmission is strictly prohibited. If you have received this transmission in error, please notify the sender by telephone and return the original message to the above via the U.S. Postal Service. Thank you.

DEC 11 2008

PTO/SB/21 (08-08)

Approved for use through 10/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

-3-

Application Number

10/522,004

Filing Date

(871(c)) Date: April 11, 2005

First Named Inventor

Kenneth D. RICE

Art Unit

1624

Examiner Name

Jeffrey H. MURRAY

Attorney Docket Number

EX03-054C-US

ENCLOSURES (Check all that apply)

Fee Transmittal Form
 Fee Attached
 Amendment/Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Reply to Missing Parts/Incomplete Application
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
 Landscape Table on CD

Remarks

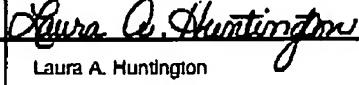
After Allowance Communication to TC
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
1) Applicant Initiated Interview Request Form (PTOL-413A) -2 sheets.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name
EXELIXIS, Inc.Signature
Printed name
Janice V. RiceDate
December 11, 2008 Reg. No. 50,606

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature
Typed or printed name
Laura A. Huntington Date December 11, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
DEC 11 2008

P.03/04

PTOL-413A (11-08)
Approved for use through 12/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/522,004

First Named Applicant: Kenneth D. RICE

Examiner: Jeffrey H. MURRAY

Art Unit: 1624

Status of Application: Pending-AF

Tentative Participants:

(1) Janice V. Rice
(3) Michael S. Greenfield(2) Jeffrey H. Murray
(4) James O. Wilson

Proposed Date of Interview: Thursday, Dec. 16, 2008

Proposed Time: 1:00 EST AM/PM

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated:

 YES NO

If yes, provide brief description:

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Obj.-Non Elected SM	79, 84, 89, 113-120, 140, 152, 155		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Election/Restrict	67, 69, 71, 73, 76, 77, 79		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 112 Rejections	81-84, 86-92, 94-99, 113, 114, 116-120, 139- 150, 152, 155		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Continuation Sheet Attached

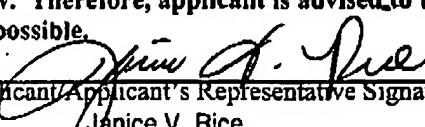
Brief Description of Argument to be Presented:

1) The Examiner rejoined Restriction Groups VI - X in the March 31, 2008 Office Action (page 3) and the current claims are limited to Groups VI - X. 2) Certain compounds (entries 88,81,441, 442, 448, in Table 1 of the application) and intermediates (claims 123 and 124) do not fall within the scope of Formula I and therefore do fall within any restriction

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Janice V. Rice

Typed/Printed Name of Applicant or Representative
50,606

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 11 2008

Approved for use through 12/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTOL-413A (11-08)

Continuation Sheet
Page 2

Applicant Initiated Interview Request Form

Application No.: 10/522,004First Named Applicant: Kenneth D. RICEExaminer: Jeffrey H. MURRAYArt Unit: 1624Status of Application: Pending-AF

Tentative Participants:

(1) Janice V. Rice
(3) Michael S. Greenfield(2) Jeffrey H. Murray
(4) James O. WilsonProposed Date of Interview: Thursday, Dec. 16, 2008Proposed Time: 1:00 EST AM/PM

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated:

 YES NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Obj.-Non Elected - SM	<u>79, 84, 89, 113-120,</u> <u>140, 152, 155</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Election/Restrict	<u>67, 69, 71, 73, 76, 77, 79</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 112 Rejections	<u>81-84, 86-92, 94-99,</u> <u>113, 114, 116-120, 137-</u> <u>150, 152, 155</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)		_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Continuation Sheet Attached

Brief Description of Argument to be Presented:

group. 3) The Applicants will request clarification of the grounds for the enablement rejection.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.


Applicant/Representative Signature

Janice V. Rice

Typed/Printed Name of Applicant or Representative

50,606

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.